

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

NEW PRIORITY DATE:

Date of filing in State Engineer's Office JAN 14 2000 APR 8 2008Returned to applicant for correction FEB 02 2000Corrected application filed FEB 10 2000Map filed FEB 10 2000

The applicant **Michael B. Stewart**, hereby makes application for permission to change the **Point of Diversion and Place of use of a Portion** of water heretofore appropriated under **Permit 45391**

1. The source of water is **Underground**
2. The amount of water to be changed **1.7584 cfs, not to exceed 416.80 acre-feet annually**
3. The water to be used for **irrigation**
4. The water heretofore permitted for **irrigation**
5. The water is to be diverted at the following point **NW¼ SE¼, Section 26, T.45N., R.19E., M.D.B. & M., or at a point from which the SE Corner of said Section 26 bears S. 46° 18' 49" E., a distance of 2,134.79 feet. (actual point of diversion per PBU filed under Permit 45391)**
6. The existing permitted point of diversion is located within **SE¼ SE¼, Section 26, T.45N., R.19E., M.D.B. & M., or at a point from which the NW corner of Section 34, said township and range bears S. 82° 00' 00" W., a distance of 9,200.00 feet.**
7. Proposed place of use **NW¼ SW¼, SW¼ SW¼, Section 26; NW¼ NW¼, Section 35; both in T.45N., R.19E., M.D.B. & M. – 104.20 acres within the described place of use.**
8. Existing place of use **See Attachment "A"**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **an existing drilled well completed under Permit 45391**
12. Estimated cost of works **completed under Permit 45391**
13. Estimated time required to construct works **completed under Permit 45391**
14. Estimated time required to complete the application of water to beneficial use **Four (4) years**
15. Remarks: **This application strips the pivot corners of the place of use under Permit 45391. The water rights being transferred will be utilized on lands west of the existing place of use. Refer to PBU filed under Permit 45391 for additional information.**

By **Gregory M. Bilyeu**
s/Gregory M. Bilyeu
P.O. Box 70458
Reno, Nevada 89570-0458

Compared kdg /gk1 hf/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 45391 is issued subject to the terms and conditions imposed in said Permit 45391 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.76 cubic feet per second, but not to exceed 416.8 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

December 07, 2000

Proof of completion of work shall be filed before:

January 07, 2001

Water must be placed to beneficial use on or before:

December 07, 2001

Proof of the application of water to beneficial use shall be filed on or before:

January 07, 2002

Map in support of proof of beneficial use shall be filed on or before:

January 07, 2002

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 20th day of, July A.D. 2000

Hugh Ricci, P.E.
State Engineer

by Hugh Ricci, P.E., Deputy State Engineer

Completion of work filed JAN 05 2001

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

~~CANCELLED MAR 18 2008 BECAUSE OF
FAILURE OF APPLICANT TO COMPLY WITH THE
PROVISIONS OF PERMIT~~

~~Troy T. P.E. STATE ENGINEER
Can. Rescinded 10-15-2009~~

ATTACHMENT "A"

8. Existing Place of Use

W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 25, T.45N., R.19E., M.D.B. & M.
SE $\frac{1}{4}$, Section 26, T.45N., R.19E., M.D.B. & M
E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 26, T.45N., R.19E., M.D.B. & M

320 Acres Total

104.20 acres being removed from irrigation in the following subdivisions

13.66 ac., NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 25, T.45N., R.19E., M.D.B. & M
12.58 ac., SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 25, T.45N., R.19E., M.D.B. & M
12.63 ac., NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, T.45N., R.19E., M.D.B. & M
12.03 ac., SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, T.45N., R.19E., M.D.B. & M
20.85 ac., NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 26, T.45N., R.19E., M.D.B. & M
21.35 ac., SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 26, T.45N., R.19E., M.D.B. & M
5.92 ac., NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 26, T.45N., R.19E., M.D.B. & M
5.18 ac., SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 26, T.45N., R.19E., M.D.B. & M